

1 BILL NO. R-85-05-33

2 RESOLUTION NO. R-

79-85

3 A RESOLUTION of the Common Council  
4 of the City of Fort Wayne, Indiana  
5 setting forth the policy of the City  
6 of Fort Wayne, Indiana in regards to  
7 the annexation of the Winters Road  
8 Annexation Area.

9 WHEREAS, the annexation of territory to the City of  
10 Fort Wayne is a legislative function; and

11 WHEREAS, the Common Council of the City of Fort Wayne  
12 is called upon in the preparation of the City budget to provide  
13 for the furnishing of municipal services to the entire City,  
14 including newly annexed areas; and,

15 WHEREAS, the Common Council of the City of Fort Wayne  
16 has before it an Ordinance for the annexation of the Winters  
17 Road Annexation Area, more specifically described as follows,  
18 to-wit:

19 A parcel of land located in Sections 8 and 9, Township  
20 29 North, Range 12 East, Allen County, Indiana and more  
21 particularly described as follows:

22 COMMENCING at the South Quarter corner of Section 9,  
23 Township 29 North, Range 12 East, Allen County,  
24 Indiana; thence West along the South line of said  
25 Section 9 a distance of 273.0 feet to the West right-  
26 of-way line of the N&W Railroad; thence North along the  
27 West right-of-way line of the N&W Railroad a distance  
28 of 15.0 feet to the point of beginning. BEGINNING at  
29 the above described point; thence West and parallel  
30 with the South line of said Section 9 to the common  
31 line with Section 8, Township 29 North, Range 12 East,  
32 Allen County, Indiana and thence continuing West and  
parallel with the South line of said Section 8 a total  
distance of 4,289.6 feet to the existing City Limits  
line; thence along the existing City Limits line as  
established in Annexation Ordinance X-57-03-15 as  
follows: deflecting right 134 degrees 13 minutes from  
the last described line a distance of 421.2 feet;  
thence deflecting right 45 degrees 50 minutes a  
distance of 3595.0 feet; thence deflecting left 45  
degrees 31 minutes a distance of 297.6 feet; thence  
deflecting left 89 degrees 45 minutes a distance of  
421.8 feet; thence deflecting right 44 degrees 40  
minutes a distance of 636.9 feet; thence deflecting  
right 90 degrees 00 minutes a distance of 446.0 feet;  
thence continuing East and departing from the existing  
City Limits line a distance of 35.0 feet to the West  
right-of-way line of the N&W Railroad; thence South  
along said West right-of-way line of the N&W Railroad a  
distance of 1428.8 feet to the point of beginning; said



area contains 39.7 acres more or less.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF  
THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That in the case of the Winters Road  
Annexation, it is the policy of the City of Fort Wayne to  
follow the provisions of Section 1.1 of Chapter 2 of the  
Municipal Code of the City of Fort Wayne, Indiana of 1974, as  
amended, with regards to the provision of non-capital and  
capital services to the annexation area.

SECTION 2. That it is the policy of the City of Fort  
Wayne to follow the annexation fiscal plan for said described  
territory, as prepared by the Division of Community Develop-  
ment and Planning, which is attached hereto and incorporated  
herein.

SECTION 3. That said plan sets forth cost estimates of  
the services to be provided, the methods of financing these  
services, the plan for the organization and extension of these  
services, delineates the non-capital improvement services to be  
provided within one (1) year of annexation, the capital  
improvement services to be provided within three (3) years of  
annexation, and the plan for hiring employees of other govern-  
mental entities whose jobs will be eliminated by this annexa-  
tion.

SECTION 4. That said plan is hereby approved and  
adopted by the Common Council of the City of Fort Wayne,  
Indiana and shall be in full force and effect upon the effect-  
ive date of the Winters Road Annexation Ordinance.

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COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY

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BRUCE O. BOXBERGER, CITY ATTORNEY



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2 RESOLUTION NO. R-\_\_\_\_\_

3 A RESOLUTION of the Common Council  
4 of the City of Fort Wayne, Indiana  
5 setting forth the policy of the City  
6 of Fort Wayne, Indiana in regards to  
7 the annexation of the Winters Road  
8 Annexation Area.

9 WHEREAS, the annexation of territory to the City of  
10 Fort Wayne is a legislative function; and

11 WHEREAS, the Common Council of the City of Fort Wayne  
12 is called upon in the preparation of the City budget to provide  
13 for the furnishing of municipal services to the entire City,  
14 including newly annexed areas; and,

15 WHEREAS, the Common Council of the City of Fort Wayne  
16 has before it an Ordinance for the annexation of the Winters  
17 Road Annexation Area, more specifically described as follows,  
18 to-wit:

19 Part of the Southeast Quarter of Section 8, Township 29  
20 North, Range 12 East and part of the Southwest Quarter  
21 of Section 9, Township 29 North, Range 12 East, all in  
22 Allen County, Indiana, more particularly described as  
23 follows:

24 Beginning at a point on the west right-of-way line of  
25 the Norfolk and Southern Railroad and the north  
26 right-of-way line of Winters Road; thence west along  
27 the north right-of-way line of Winters Road a distance  
28 of 4,240 feet to a point of intersection with the  
29 existing City Limits; thence following the present City  
30 Limits in a northeasterly direction to the southeast  
31 corner of Tract 17, Section 9, Township 29 North, Range  
32 12 East; thence proceeding on a line projected from the  
south property line of said Tract 17 in an easterly  
direction a distance of 30 feet more or less to a point  
on the west right-of-way of the Norfolk and Southern  
Railroad; thence south along the west right-of-way line  
of the railroad a distance of 1,400 feet more or less  
to the point of beginning.

33 NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF  
34 THE CITY OF FORT WAYNE, INDIANA:

35 SECTION 1. That in the case of the Winters Road  
36 Annexation, it is the policy of the City of Fort Wayne to  
37 follow the provisions of Section 1.1 of Chapter 2 of the  
38 Municipal Code of the City of Fort Wayne, Indiana of 1974, as

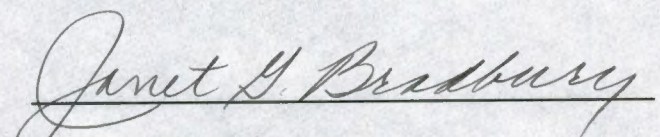


1 amended, with regards to the provision of non-capital and  
2 capital services to the annexation area.

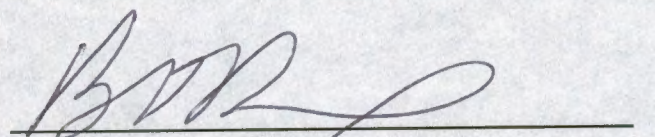
3 SECTION 2. That it is the policy of the City of Fort  
4 Wayne to follow the annexation fiscal plan for said described  
5 territory, as prepared by the Division of Community Develop-  
6 ment and Planning, which is attached hereto and incorporated  
7 herein.

8 SECTION 3. That said plan sets forth cost estimates of  
9 the services to be provided, the methods of financing these  
10 services, the plan for the organization and extension of these  
11 services, delineates the non-capital improvement services to be  
12 provided within one (1) year of annexation, the capital  
13 improvement services to be provided within three (3) years of  
14 annexation, and the plan for hiring employees of other govern-  
15 mental entities whose jobs will be eliminated by this annexa-  
16 tion.

17 SECTION 4. That said plan is hereby approved and  
18 adopted by the Common Council of the City of Fort Wayne,  
19 Indiana and shall be in full force and effect upon the effect-  
20 ive date of the Winters Road Annexation Ordinance.

21  
22   
23 COUNCILMEMBER

24  
25 APPROVED AS TO FORM AND LEGALITY

26   
27  
28 BRUCE O. BOXBERGER, CITY ATTORNEY



Read the first time in full and on motion by Bradbury, seconded by Salvino, and duly adopted, read the second time by title and referred to the Committee Annexation (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S

DATE: 5-14-85

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Bradbury, seconded by Salvino, and duly adopted, placed on its passage. PASSED ~~(LOST)~~ by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>7</u>	_____	<u>1</u>	<u>1</u>	_____
<u>BRADBURY</u>	_____	_____	<u>✓</u>	_____	_____
<u>BURNS</u>	<u>✓</u>	_____	_____	_____	_____
<u>EISBART</u>	<u>✓</u>	_____	_____	_____	_____
<u>GIAQUINTA</u>	<u>✓</u>	_____	_____	_____	_____
<u>HENRY</u>	<u>✓</u>	_____	_____	_____	_____
<u>REDD</u>	<u>✓</u>	_____	_____	_____	_____
<u>SCHMIDT</u>	<u>✓</u>	_____	_____	<u>✓</u>	_____
<u>STIER</u>	<u>✓</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>✓</u>	_____	_____	_____	_____

DATE: 6-25-85

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as ~~(ANNEXATION)~~ ~~(APPROPRIATION)~~ (GENERAL)

(SPECIAL) ~~(ZONING MAP)~~ ORDINANCE (RESOLUTION) NO. Q-79-85

on the 25th day of June, 1985,

ATTEST:

(SEAL)

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Mark E. Giacinto  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of June, 1985, at the hour of 11:30 o'clock A. M., E.S.T.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 26th day of June, 1985, at the hour of 3<sup>00</sup> o'clock P. M., E.S.T.

Win Moses, Jr.  
WIN MOSES, JR., MAYOR



Admn. Appr. \_\_\_\_\_

**DIGEST SHEET**

**TITLE OF ORDINANCE** Winters Road Annexation Resolution Q-85-05-33

**DEPARTMENT REQUESTING ORDINANCE** Community Development and Planning

**SYNOPSIS OF ORDINANCE** Resolution confirms that the City has developed

a definite policy for providing services to the Winters Road Annexation  
area. It also clearly links the City's General Annexation Resolution  
(Section 1.1 of Chapter 2 of the Municipal Code of the City of Fort Wayne  
of 1974, as amended) to the Winters Road Annexation.

**EFFECT OF PASSAGE** The City will be more secure in meeting State  
annexation law requirements.

**EFFECT OF NON-PASSAGE** The City will be less secure in meeting State  
annexation law requirements.

**MONEY INVOLVED (Direct Cost, Expenditures, Savings)** To be  
explained by the Fiscal Plan to be prepared by CD&P.

**ASSIGNED TO COMMITTEE (J.N.)** \_\_\_\_\_

BILL NO. R-85-05-33

REPORT OF THE COMMITTEE ON ANNEXATION

WE, YOUR COMMITTEE ON ANNEXATION TO WHOM WAS  
REFERRED AN ~~(ORDINANCE)~~ (RESOLUTION) of the Common Council of the  
City of Fort Wayne, Indiana setting forth the policy of the City of Fort  
Wayne, Indiana in regards to the annexation of the Winters Road  
Annexation Area

HAVE HAD SAID ~~(ORDINANCE)~~ (RESOLUTION) UNDER CONSIDERATION AND BEG  
LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID ~~(ORDINANCE)~~  
(RESOLUTION) *Do Pass*

YES

NO

*[Signature]*  
JANET G. BRADBURY  
CHAIRWOMAN

*[Signature]*  
THOMAS C. HENRY  
VICE CHAIRMAN

*[Signature]*  
SAMUEL J. TALARICO

*[Signature]*  
PAUL M. BURNS

*[Signature]*  
BEN A. EISBART

CONCURRED IN 6-25-85

SANDRA E. KENNEDY  
CITY CLERK